

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**SAINT THOMAS ENTITIES' MOTION FOR CONTINUANCE OF COMMON ISSUE  
FACT DISCOVERY ON PROXIMATE CAUSATION**

The Saint Thomas Entities<sup>1</sup> file this motion to amend MDL Order # 9 and the deadlines set forth in Judge Zobel's July 9, 2015 Order<sup>2</sup> to (1) extend the deadline for common issue fact discovery on proximate causation until thirty days (30) after the completion of certain depositions and discovery commenced before September 15, 2014, and (2) extend deadlines related to expert disclosures until sixty 60 days after completion of such discovery. Significant fact discovery concerning proximate cause remains to be completed, despite the diligent efforts of the Saint Thomas Entities, as described in the Memorandum in Support of the Motion and Declaration of Adam T. Schramek, filed herewith. The Saint Thomas Entities request this continuance so that they will be able to defend themselves and so that justice may be carried out in this complex MDL. Pursuant to Local Rule 40.3(b), the Saint Thomas Entities sought a

<sup>1</sup> Saint Thomas West Hospital f/k/a St. Thomas Hospital; Saint Thomas Health; and Saint Thomas Network.

<sup>2</sup> See Dkt. No. 2075

continuance of the common issue fact discovery on May 13, 2015.<sup>3</sup> The motion was granted in part on July 9, 2015, extending common fact discovery to September 15, 2015.<sup>4</sup>

WHEREFORE, the Saint Thomas Entities request that the (1) common issue fact discovery deadline, as set forth in Judge Zobel's July 9, 2015 Order, be extended until thirty days (30) after the completion of certain depositions and discovery commenced before September 15, 2014, and (2) the deadlines related to expert disclosure be extended until sixty 60 days after completion of such discovery.

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<sup>3</sup> See Dkt. Nos. 1849-51.

<sup>4</sup> See Dkt. No. 2075.

Dated: Sept. 14, 2015

SAINT THOMAS WEST HOSPITAL F/K/A ST.  
THOMAS HOSPITAL, SAINT THOMAS  
HEALTH, AND SAINT THOMAS NETWORK

By their attorneys,

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**CERTIFICATE OF CONFERENCE**

I certify that counsel for the Plaintiffs' Steering Committee was contacted regarding whether they opposed the relief requested in this motion for clarification but no agreement was reached.

*/s/ Sarah P. Kelly*  
Sarah P. Kelly

**CERTIFICATE OF SERVICE**

I certify that this document filed through the CM/ECF system will be served electronically to the registered participants identified on the Notice of Electronic Filing this 14<sup>th</sup> day of September, 2015.

*/s/ Sarah P. Kelly*  
Sarah P. Kelly

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